

FREQUENTLY ASKED QUESTIONS ABOUT THE WITHDRAWAL OF THE PROPOSED RULE TO LIST THE MOUNTAIN-PLOVER AS THREATENED

What is the basis for withdrawing the proposed rule to list the mountain plover as threatened under the Endangered Species Act?

The U.S. Fish and Wildlife Service withdrew the 1999 proposed rule to list the mountain plover under the Endangered Species Act of 1973, as amended, because the Service found the degree of threats to the species are not as significant as earlier believed, and current available data do not indicate that threats to the species and its habitat are likely to endanger the species in the foreseeable future throughout all or a significant portion of its range.

Scientific data contributing to the Service's decision to withdraw include new information indicating that in some areas of the species' breeding range, croplands provide alternate nesting locations. In addition, declines in local population numbers are not supported by statewide estimates throughout the range, which suggest the continental population has not changed significantly in the past decade. New information made available this year from many State and Federal agencies indicates that occupied black-tailed prairie dog habitat is more abundant than previously believed, providing more potential mountain plover breeding habitat. In addition, new conservation measures for other species of the high prairies in several western states may also benefit the mountain plover.

What are the five factors used to determine if a species warrants listing as endangered or threatened under the Act?

The term endangered, as defined under the Act, refers to any species which is likely to become extinct within the foreseeable future throughout all or a significant portion of its range, whereas threatened is defined as a species that is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

Section 4(a)(1) of the Act requires us to determine if a species is endangered or threatened because of any one or more of the following factors:

- A) the present or threatened destruction, modification or curtailment of its habitat or range;
- B) overutilization for commercial, recreational, scientific, or educational purposes;
- C) disease or predation;
- D) the inadequacy of existing regulatory mechanisms; or
- E) other natural or manmade factors affecting its continued existence.

Are there any conservation measures ongoing or in the works for the mountain plover? If so, what are some of these?

In the last few years, federal land management agencies, state and county governments have become more actively involved in mountain plover. For example, formalized conservation efforts by the Colorado Division of Wildlife, in cooperation with the Colorado Farm Bureau, will improve the status of the mountain plover. The Nebraska Game and Parks Commission, working with the Rocky Mountain Bird Observatory, has also initiated a landowner incentive program called the Shortgrass Prairie Partnership. While both the Colorado and Nebraska habitat

conservation programs are voluntary, both wildlife agencies have the authority to initiate, fund and implement them. These conservation efforts are new but have shown some initial successes and are likely to provide a significant level of protection for the mountain plover.

The USDA-Forest Service is working with the Service to manage the National Pawnee Grasslands for the mountain plover. The Pawnee Grasslands played a significant role in the historical range of the mountain plover.

Other new conservation measures for the mountain plover include the recently established federal, state and private High Plains Partnership; the Department of Defense's Integrated Natural Resource Management Plan for Fort Carson, Colorado; several Habitat conservation Plans on the wintering grounds in California; the Rocky Mountain Bird Observatory's Prairie Partners; The Nature Conservancy's "Prairie Wings" and private land conservation easement efforts in South Park, Colorado. In addition, the Service has initiated discussions with the Natural Resources Conservation Service to explore ways to benefit mountain plovers on private lands. These include grazing plans that encourage high grazing intensity in plover nesting areas and revising county bulletins to include specific protective measures.

How can we justify the withdrawal, when the mountain plover was designated in 2002 a Bird of Conservation Concern by the Service's Division of Migratory Bird Management?
Species are evaluated and included on the List of Birds of Conservation Concern based on many criteria, including current or recent designation as a listed, proposed or candidate species under the ESA. The conservation concern designation is not based on the type of threat analysis that would be included with an ESA status review.

What is the nature of the research on the breeding grounds that contributed to the decision to withdraw?

In 2001, the U.S. Geological Survey Biological Research Division, funded by the Fish and Wildlife Service (\$430,000) and the Colorado Division of Wildlife, in cooperation with the Colorado Farm Bureau and the Colorado Natural Heritage Program, initiated a study examining the potential impacts of private agricultural practices on mountain plovers. Over three years 300,000 acres have been surveyed for nesting plovers; the surveys will continue for a fourth year in 2004. Agricultural practices do not appear to be an additive detriment to nesting success; nest success in cropland and rangeland is equivalent with the cause for nest mortality differing between the 2 habitats. The major cause of nest failure is agricultural practices and predation on cropland and predation on rangeland.

The Colorado Division of Wildlife is also funding genetics and isotope studies to further our understanding of mountain plover biology. The Petroleum Association of Wyoming and the Bureau of Land Management are also cooperating on a monitoring study on BLM oil and gas fields.

Does the decision to withdraw the proposed listing of the species mean that it does not face any threats?

No. As with any species, threats could change or increase in the future. Loss or modification of habitat, disease, predation or any natural or manmade factors could occur in the future, making it

necessary for the Service to re-evaluate the status of the mountain plover.

The mountain plover is a migratory bird and is protected under the Migratory Bird Treaty Act.

What does a mountain plover look like?

It averages 8 inches in body length and similar in size and appearance to the killdeer. It is light brown above with a lighter colored breast, but lacks the contrasting dark breast belt common to most other plovers, including the killdeer. Its diet is mainly made up of insects.

Where do you find mountain plovers?

Historically, it was found on grasslands that were used by large numbers of bison, elk, and pronghorn, as well as burrowing animals such as prairie dogs, kangaroo rats and badgers. Currently, mountain plovers show a preference for prairie dog towns and sites that are heavily grazed by domestic livestock.

How many plovers are there and where are they?

The current total population of mountain plovers is estimated to be between 5,000 and 11,000 individuals. Today plovers occur in Colorado, Montana, Wyoming, Utah, Oklahoma, New Mexico, Kansas, Nebraska, Texas, California, Arizona and Nevada. Approximately 85 percent of the population of mountain plovers winters in the Imperial and San Joaquin Valleys of California.

Where can I get a copy of the Service's withdrawal to list the mountain plover?

Copies of the withdrawal can be obtained from the Western Colorado Field Office (Mountain Plover), U.S. Fish and Wildlife Service, 764 Horizon Drive, Building B, Grand Junction, Colorado 81506-3946.

U.S. Fish and Wildlife Service
Colorado Ecological Services Office
764 Horizon Drive, Building B
Grand Junction, Colorado 81506
970-243-2778 (Robert Leachman)

or

U.S. Fish and Wildlife Service
Colorado Ecological Services, Lakewood Field Office
755 Parfet Street, Suite 361
Lakewood, Colorado 80215
303-275-2370 (Susan Linner)